

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF JUNE

TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10600 of 2004

Between:

N.Srinivasulu Yadav S/o Subbarayudu

Plot No. 1., Mangalm Village, Tirupathi Urban Mandal Chittoor District
..... PETITIONER

AND

- 1 The District Collector Chittoor
- 2 Tirupathi Urban Development Authority Tirupathi, Chittoor District,
rep.by its Chairman
- 3 The Mandal Revenue Officer Tirupathi Urban Mandal, Tirupathi,
Chittoor District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in interfering with the petitioner's peaceful possession of Plot No.1 an extent of Ac. 0.03 cents situated in Mangalam Layout in Sy.No.226 of Mangalam Village, Tirupathi Rural mandal, Chittoor District, which was assigned to the petitioner under Board Standing order 21 as illegal, arbitrary and violative of Article 21 of the Constitution of India and consequently direct the respondent to restrain from interfering with the possession of the house site assigned to the petitioner,

For the Petitioner:MR.P.ROY REDDY -ADVOCATE

For the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the Following :

ORDER:

The present writ petition is filed questioning the action of the respondents in interfering with the peaceful possession of the petitioner at Plot No. 1, Survey No. 226, Mangalam village, Tirupati Rural Mandal, Chittoor.

The petitioner claims that the subject land was assigned to him by the first respondent vide proceedings dt 21-12-1991 and that he is in continuous possession of the same. The petitioner alleges that the second and third respondents had visited the area on 19-6-2004 and orally informed that the said land is required by second respondent and the petitioner and other such assignees have to vacate the same.

Learned counsel for petitioner submits that the petitioner was assigned the subject land as per Board Standing Order 21 vide proceedings dated 21-12-1991 and while the patta is in existence, without following due process of law, the respondents 2 and 3 are interfering with the peaceful possession of the petitioner.

Heard both sides. Both counsel agreed for disposal of the writ petition with the following direction:

The writ petition is disposed of with a direction to the respondents not to interfere with the possession of the petitioner in respect of the subject land without following the due procedure prescribed under the law. No cost.

N.V.RAMANA,J

28/6/2004

TVK

To

- 1 The District Collector Chittoor
- 2 The Chairman,
Tirupathi Urban Development Authority Tirupathi,
Chittoor District,

- 3.. The Mandal Revenue Officer Tirupathi Urban Mandal,
Tirupathi,
Chittoor District
- 4.. 2CCs to G.P. for Revenue, High Court of A.P., Hyderabad
- 5.. CD copies

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